

REMARKS

In light of the amendments above and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-10, 12, 17-25, 27, 30-8, and 40 are pending in this application.

Claims 1, 12, 17, 27, 30, and 40 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,018,720 to Fujimoto.

Independent claim 1, as amended herein, recites in part as follows:

"... wherein said unrewritable prepaid information includes a prepaid amount of money and a prepaid service ID representative of an address of the information center

...

wherein the prepaid amount of money included in said unrewritable prepaid information on the recording medium is not updated when said predetermined content data is transmitted from the first storage means to said terminal apparatus."

(Emphasis added.)

It is respectfully submitted that the portions of Fujimoto applied by the Examiner (hereinafter "Fujimoto") do not teach the above features of amended independent claim 1. That is, Fujimoto does not appear to disclose unrewritable prepaid information stored on the recording medium that includes a prepaid service ID that is representative of an address of an information center.

Further, Fujimoto does not disclose that "the prepaid amount of money included in said unrewritable prepaid information on the recording medium is not updated when said predetermined content data is transmitted from the first

storage means to said terminal apparatus." In fact, Fujimoto appears to disclose the opposite. That is, Fujimoto appears to specifically disclose that the prepaid amount of money is updated at the software deliverer and on the record media. (Emphasis added.)

Accordingly, it is respectfully submitted that independent claim 1 is distinguishable from Fujimoto.

For reasons similar to those previously described with regard to claim 17 and 30, it is also respectfully submitted that amended independent claims 17 and 30 are distinguishable from Fujimoto as applied by the Examiner.

Claims 12, 27, and 40 are dependent from one of independent claims 1, 17, and 30. Accordingly, it is also respectfully submitted that dependent claims 12, 27, and 40 are distinguishable from Fujimoto as applied by the Examiner for at least the reasons previously described.

Claims 2-3, 18 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,018,720 to Fujimoto in view of U.S. Patent No. 6,144,745 to Akiyama et al.

Claims 2, 3, 18, and 31 depend from one of independent claims 1, 17, and 30, and, due to such dependency, are believed to be distinguishable from Fujimoto for at least the reasons previously described. The portions of Akiyama relied upon by the Examiner do not appear to overcome the above described deficiencies of Fujimoto. Accordingly, claims 2, 3, 18, and 31 are believed to be distinguishable from the applied combination of Fujimoto and Akiyama.

Claims 4-10, 19-25 and 32-38 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,018,720 to Fujimoto and U.S. Patent No. 6,144,745 to Akiyama et al. and further in view of U.S. Patent No. 6,539,468 to Inoue et al.

Claims 4-10, 19-25 and 32-38 depend from one of independent claims 1, 17, and 30, and, due to such dependency, are believed to be distinguishable from Fujimoto for at least the reasons previously described. The portions of Akiyama and Inoue relied upon by the Examiner do not appear to overcome the above described deficiencies of Fujimoto. Accordingly, claims 4-10, 19-25 and 32-38 are believed to be distinguishable from the applied combination of Fujimoto, Akiyama, and Inoue.

As it is believed that all of the rejections set forth in the Official Action have been overcome, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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